

REMARKS

Claims 1, 4-28 and 31-35 are pending in the application. By this Amendment, claims 6, 7, 36, 37 and 43 are canceled without prejudice or disclaimer, claims 1, 8, 39 and 45 are amended, and new claims 46-48 are added. No new matter is added by this Amendment, and this Amendment is supported fully by the Specification.

SUMMARY OF ACTION

The Office Action rejects claims 1, 4, 6, 8, 9, 11, 15-18, 21, 22, 24-27, 36, 37, 39-41 and 44 under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Patent Application Publication No. 2003/0160231 to Cole et al. in view of GB Patent No. 2,365,966 to Hodgkinson and U.S. Patent Application Publication No. 2002/0197728 to Kaufman et al. The Office Action also rejects claims 5, 10 and 12-14 under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Patent Application Publication No. 2003/0160231 in view of GB Patent No. 2,365,966 and U.S. Patent Application Publication No. 2002/0197728 as applied to claims 4 and 9 in further view of U.S. Patent Application Publication No. 2002/0022766 to Adachi. The Office Action also rejects claims 19 and 42 under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Patent Application Publication No. 2003/0160231 in view of GB Patent No. 2,365,966 and U.S. Patent Application Publication No. 2002/0197728 as applied to claim 1 in further view of U.S. Patent Application Publication No. 2002/0158211 to Gillispie. These rejections are respectfully traversed.

The Office Action objects to claims 7, 20, 23, 43 and 45 as being dependent on a rejected base claim, but indicates that such claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Finally, the Office Action indicates that claims 28, 31-35 and 38 are allowed.

Applicant gratefully acknowledge the Examiner's indication that claims 28, 31-35 and 38 are allowable, and that claims 7, 20, 23, 43 and 45 are allowable if amended as indicated above.

Objection of Claims 7, 20, 23, 43 and 45

The Office Action objects to claims 7, 20, 23, 43 and 45 as being dependent on a rejected base claim, but indicates that such claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By this Amendment, the features of objected to claim 7 (and intervening claim 6) have been incorporated into independent claim 1. Additionally, the features of objected to claim 43 have been incorporated into independent claim 40. Given that the Office Action objected to claims 7 and 43 as being dependent upon rejected base claims, but would be allowable if rewritten in independent form including all of the limitation of the base claim and any intervening claims, it is respectfully submitted independent claims 1 and 40 (as amended) are free of the art of record. All claims depending from amended claims 1 and 40, therefore, should be similarly allowable. Thus, it is respectfully submitted that dependent claims 4, 5, 8-27, 42, 44 and 45 are in condition for allowance.

Additionally, the Office Action indicated that claims 20, 23 and 45 were also allowable if amended as indicated above regardless of the incorporation of the features of claims 7 and 43 into independent claims 1 and 40, respectively. Thus, the features of claims 1 and 20 (new claim 46), claims 1, 22 and 23 (new claim 47) and claims 40, 44 and 45 (new claim 48) have, respectively, been combined in new claims 46-48 as discussed below.

New Claims

New Claims 46-48 have been added and include the features from several claims that previously depended from independent claims 1 and 40, as written prior to the present amendments, and that were indicated as allowable if rewritten in independent form including all of the limitation of the base claim and any intervening claims.

In particular, the Office Action indicated that claims 20, 23 and 45 were allowable if rewritten in independent form including all of the limitation of the base claim and any intervening claims (regardless of the incorporation of the features of claims 7 and 43 into independent claims 1 and 40, respectively). Thus, new claim 46 incorporates the features of objected to claim 20 into independent claim 1 (as written prior to the present amendments) and new claim 47 incorporates

the features of objected to claim 23 (and intervening claim 22) into independent claim 1 (as written prior to the present amendments). New claim 48 incorporates the features of objected to claim 45 (and intervening claim 44) into independent claim 40 (as written prior to the present amendments).

Given that the Office Action indicated that claims 20, 23 and 45 were also allowable if amended as indicated above, Applicants respectfully submit that new claims 46-48 are in condition for allowance.

Claim Rejections - 35 U.S.C. § 103(a)

The Office Action rejects claims 1, 4, 6, 8, 9, 11, 15-18, 21, 22, 24-27, 36, 37, 39-41 and 44 under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Patent Application Publication No. 2003/0160231 to Cole et al. in view of GB Patent No. 2,365,966 to Hodgkinson and U.S. Patent Application Publication No. 2002/0197728 to Kaufman et al. The Office Action also rejects claims 5, 10 and 12-14 under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Patent Application Publication No. 2003/0160231 in view of GB Patent No. 2,365,966 and U.S. Patent Application Publication No. 2002/0197728 as applied to claims 4 and 9 in further view of U.S. Patent Application Publication No. 2002/0022766 to Adachi. The Office Action also rejects claims 19 and 42 under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Patent Application Publication No. 2003/0160231 in view of GB Patent No. 2,365,966 and U.S. Patent Application Publication No. 2002/0197728 as applied to claim 1 in further view of U.S. Patent Application Publication No. 2002/0158211 to Gillispie.

As discussed above, by this Amendment, the features of objected to claim 7 (and intervening claim 6) have been incorporated into independent claim 1. Additionally, the features to objected to claim 43 have been incorporated into independent claim 40. Given that the Office Action objected to claims 7 and 43 as being dependent upon rejected base claims, but would be allowable if rewritten in independent form including all of the limitation of the base claim and any intervening claims, it is respectfully submitted independent claims 1 and 40 (as amended) are free of the art of record. All claims depending from amended claims 1 and 40, therefore, should be similarly allowable. Thus, it is respectfully submitted that dependent claims 4, 5, 8-19, 21, 22, 24-

27 (which depend directly or indirectly from independent claim 1) and claims 41, 42, 44 and 45 (which depend directly or indirectly from independent claim 40) are in condition for allowance.

Additionally, by this Amendment, claim 39 is amendment to depend from independent claim 38 (which claim is indicated as allowable by the Office Action). As such, it is respectfully submitted that dependent claim 39 should be similarly allowable.

In view of the foregoing, withdrawal of the rejection of claims 1, 4, 5, 8-19, 21, 22, 24-27, 39, 40-42, 44 and 45 under 35 U.S.C. § 103(a) and the objection of claims 20 and 23 is respectfully requested.

Additionally, by this Amendment, claims 36 and 37 are canceled. It is therefore respectfully submitted that the rejection of claims 36 and 37 under 35 U.S.C. §103(a) is moot.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1349. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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